

THE CITY OF MADEIRA BEACH, FLORIDA
PUBLIC NOTICE

BOARD OF COMMISSIONERS
SPECIAL MEETING

The Board of Commissioners of the City of Madeira Beach, Florida will meet at City Hall, located at 300 Municipal Drive, Madeira Beach, Florida to discuss the agenda items of City Business listed at the time indicated below.

6:00 P.M.

TUESDAY, DECEMBER 1, 2015

COMMISSION CHAMBERS

- A. **CALL TO ORDER** – The meeting was called to order at 6:00 p.m.
- B. **INVOCATION AND PLEDGE OF ALLEGIANCE** – COMMISSIONER TERRY LISTER
- C. **ROLL CALL**

MEMBERS PRESENT: Travis Palladeno, Mayor
Elaine Poe, Vice-Mayor
Terry Lister, Commissioner District 1
Nancy Hodges, Commissioner District 2
Patricia Shontz, Commissioner District 4

STAFF PRESENT: Shane B. Crawford, City Manager (CM)
Randy D. Mora, City Attorney (CA)
Aimee Servedio, City Clerk (CC)

D. **APPROVAL OF THE MINUTES**

1. **BOC SPECIAL WORKSHOP MEETING** **OCTOBER 10, 2015**

A motion to approve the minutes as presented was made by Commissioner Lister and seconded by Commissioner Hodges.

ROLL CALL:

Commissioner Lister.....	YES	Vice-Mayor Poe.....	YES
Commissioner Hodges.....	YES	Mayor Palladeno.....	YES
Commissioner Shontz.....	YES		

E. **APPROVAL OF THE AGENDA**

A motion to approve the agenda was made by Commissioner Shontz and seconded by Commissioner Poe.

ROLL CALL:

Commissioner Lister.....	YES	Vice-Mayor Poe.....	YES
Commissioner Hodges.....	YES	Mayor Palladeno.....	YES
Commissioner Shontz.....	YES		

F. **PUBLIC COMMENT** – LIMITED TO THREE (3) MINUTES

There was no public comment.

G. **CONSENT AGENDA** – NONE

H. **UNFINISHED BUSINESS**

1. **ORDINANCE 2015-17**

A SECOND AND FINAL READING OF AN ORDINANCE OF THE CITY OF MADEIRA BEACH, FLORIDA, REZONING CERTAIN REAL PROPERTY GENERALLY DESCRIBED AS 13220 GULF BOULEVARD, FROM MEDIUM DENSITY MULTIFAMILY RESIDENTIAL (R-3) TO PLANNED DEVELOPMENT (PD) DISTRICT; PROVIDING FOR READING BY TITLE ONLY; AND PROVIDING FOR AN EFFECTIVE DATE THEREOF.

CM: This is the second reading of the rezoning to a planned development district. The second item (I.1.) is the approval of the Development Agreement – this is the agreement on how he develops the property. How he manages and uses the property after the completions, which is up to the owner’s prerogative. Management of the property is not covered by the Development Agreement, he wants that to be clear. The property will be subject to all City ordinances currently in place.

CA read Ordinance 2015-17 by title only.

A motion to approve Ordinance 2015-17 on second and final reading was made by Commissioner Lister and seconded by Commissioner Shontz.

Ron Logget: He urged the Board to not pass this ordinance to allow the rezoning. He has been living in the City since the late 1970s. Previously, a former commission stopped development of buildings this high west of Gulf Boulevard. If you want to see what passing this will do, he pointed to the massive development in Treasure Island. In his opinion, he sees the “Planned Development” zoning as a way to bypass the special magistrate.

Rose Logget: She lives directly south of the Barefoot Beach property. She thanked Vice-Mayor Poe for attending all of the Community Meetings. She feels that when this was first proposed, it seemed as though the Planning Commission was going to approve regardless of the community complaints. In November, the Planning Commission decided to redefine of ‘contiguous properties’ which usually mean that properties abut each other – now they can be bifurcated by a road (which is what is occurring with this property). At meetings, they have proposed to have the developer go through the Special Magistrate. The developer has listened to some of the complaints and has worked with the neighborhood. She has been living on the beach since the 1970s and the City even markets itself as a “small beach community” and “small fishing village.” She asks the Board to consider the impact this will have on the City.

Jack Bodziak: He agrees that he does not want to see what kind of construction is going on in Treasure Island. He appreciates that Rose mentioned that he was tried to be accommodating with neighborhood concerns. He is picking up additional height to preserve the corner on the north end and the parking lot on the south end – essentially building up instead of out. Additional height should only be granted with other compromises. This is not a license to go forward. There are other properties that he would like to build up higher, but since they have no trade-off to offer, they have not requested that. The large setbacks from the Barefoot Property should be considered.

Tom Edwards: The ordinance says that a third of the property has to be side setbacks – he is required to come in with a number of feet anyway. In a Neighborhood Meeting, it was discussed that the zoning could remain as an R-3 property for a certain period of time. This would apply to an existing building, and it was told to the residents that the Commission could decide to do this in the development agreement.

CM: The Planning Commission voted unanimously for approval.

ROLL CALL:

Commissioner Lister.....YES	Vice-Mayor Poe.....YES
Commissioner Hodges.....YES	Mayor Palladeno.....YES
Commissioner Shontz.....YES	

I. CONTRACT/AGREEMENT APPROVAL

1. DEVELOPMENT AGREEMENT

CONSIDER THE APPLICATION FOR ENTERING INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF MADEIRA BEACH AND THE BAREFOOT BEACH RESORT, LLC LOCATED AT 13220 GULF BOULEVARD AS REZONED IN ORDINANCE 2015-17.

A motion to approve the Development Agreement with Barefoot Beach Resort, LLC was made by Commissioner Shontz and seconded by Commissioner Poe.

CM: This was unanimously approved by the Planning Commission.

Commissioner Shontz: Complimented the staff and the developers for their work and cooperation to create this document. The Mayor also commends the Planning Commission as well.

Commissioner Lister: He thanked the members of the audience who came out today to voice their opinion. He understands their issues with something being built right next door, but the Development Agreement does not give these people carte blanc – this will require the developer to come to the Commission for anything they'd want to move or change on the property. However, he does believe despite their concerns, that this is a good thing for Madeira Beach.

Rose Logget: Her main concern with this project was the process by which it was approved. It is not that they don't want to see anything be built there – that never came up even though they felt that was applied to them. We live there, this is the last majorly residential area on the beach. When she asked how many of the Planning Commissioners walked down or listened to the Neighborhood Meeting tapes, not many did. And then when one commissioner did walk down, and wanted more sea oats planted, which isn't a solution either. They are trying to be good neighbors, we do not want development to stop, but she wants the commission to consider the people they represent and asked for the caveat that the existing areas remain R-3 zoned.

Ron Logget: Said he was very disheartened by the Planning Commission. When we asked if anyone had watched the video or minutes from the Neighborhood Meeting – none of them had. As we spoke about certain things that were agreed upon, they were told to give them a note on it.

Tom Edwards: The Planning Commission had a quorum of 4 (out of 7). The commissioners were asking questions about the agreement that they would not need to ask if they had read this document. He argued that the integrity of the Planning Commission is germane because they are giving a recommendation to the Board of Commissioners. One issue that was brought up was about the installation of pilings. On Page 14, "any oral agreements, agreements created by written agreements...will be merged herein" – he asked the City Attorney is that would be incorporated or not.

He also has an issue with the rooftop bar. There is no diagram on how that bar will be developed, this should be part of the development agreement as well.

Jack Bodziak: There were several meetings and he wants to clarify. The rooftop bar does have submitted plans and it has a 15-20 seat capacity that is only allowed to be used by tenants. The pilings will be addressed as agreed, they will not use driven pilings. Leaving the front building as R-3 would be detrimental to the property. An excessive amount of money will be made to match the buildings – it does not make sense to renovate a building for \$2 million only to have it torn down later.

CM: The City will not release the building permit until it is clear that the pilings will be installed as discussed.

Jim Everett: He was watching this at home and he came because of the comments made towards the Planning Commission. He did check out the property and read the development agreement. The comment about the sea oats was a way for the Commissioner to add to beach preservation but since the neighborhood did not want that, it was not included in the Development Agreement. This item was brought forward several times – more often than is normally done – and he thinks that the Planning Commission worked to hear some of the concerns. The Commission takes their jobs very seriously and considers the impact on the City closely.

ROLL CALL:

Commissioner Lister.....	YES	Vice-Mayor Poe.....	YES
Commissioner Hodges.....	YES	Mayor Palladeno.....	YES
Commissioner Shontz.....	YES		

J. NEW BUSINESS - NONE

K. REPORTS/CORRESPONDENCE

• CITY COMMISSION

Commissioner Shontz: Wanted to remind everyone about the Florida Orchestra Holiday Concert. Tickets can be bought either online or at the Recreation Center.

Mayor Palladeno: Invited the Commission and the public to attend the Cornerstone Ceremony that will take place on December 10th to dedicate the building. He also mentioned the Boat Parade which will take place on December 12th and will be accompanied by a concert and fireworks at ROC Park.

• CITY ATTORNEY – NONE

• CITY MANAGER

CM: He had tried to avoid a heavy load with meetings for December, but that was unable to happen. There are several meetings and a new development proposal for the Leverock's property and a site plan has been submitted for consideration.

- **CITY CLERK**

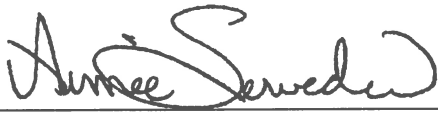
CC: The Candidate Qualifying Period for the March 2016 elections ended today and the two commissioners up for re-election remained unopposed. This means that the only item on the ballot will be the referendum.

L. ADJOURNMENT – The meeting was adjourned at 6:40 p.m.

Date approved: January 12, 2016



Travis Palladeno, MAYOR



Submitted by Aimee Servedio, CITY CLERK